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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/631,811

08/01/2003

Thomas A. Gray

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ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

ADDY, THJUAN KNOWLIN

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

12/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/631,811

Applicant(s)

GRAY ET AL.

Examiner

Thjuan K. Addy

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,8,11,15 and 17 is/are rejected.
- 7) ☒ Claim(s) 3,5-7,10,12-14,16 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on September 27, 2007 has been entered. No claims have been amended. Claim 9 has been cancelled. No claims have been added. Claims 1-8 and 10-20 are still pending in this application, with claim 1 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2, 4, 8, 11, 15, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Parsons et al (US Patent Application, Pub. No.: US 2002/0085701 A1).

4. In regards to claim 1, Parsons discloses a communication system (See Fig. 1 and office 100) comprising: at least one [ubiquitous] sensor (See Fig. 2 and presence system 112) for generating awareness data (e.g., current "presence context", such as at desk, campus room, at hotel, at home, at restaurant, etc.) relating to a user (See pg. 1, paragraph [0009]); a context engine (See Fig. 2 and context profile 206) for receiving and processing said awareness data to determine the user's current context for the purpose of event (e.g., call) handling (See pg. 3, paragraph [0030] and pg. 4, paragraph [0037]); a policy engine (See Fig. 2 and presence server 202) for receiving and relating at least one pertinent evidential indicator of an incoming event from a caller to said

user's current context and in response selecting a preferred event handling feature (See pg. 3-4, paragraph [0036] and pg. 4, paragraph [0037]); and a delivery agent (See Fig. 2 and call control interface 212) for executing said preferred event handling feature (See pg. 4, paragraph [0038] and pg. 4, paragraph [0040]).

5. In regards to claim 2, Parsons discloses a communication system, wherein said context engine further comprises an algorithm for processing said awareness data into availability information and applying said availability information to said policy engine as tuple space assertions (See pg. 4, paragraph [0037]).

6. In regards to claims 4 and 11, Parsons discloses a communication system, wherein said at least one evidential indicator includes at least one of caller identity; role relationship between caller and said user, group of project membership, location of said user, current activity of said user, and subject matter of said event (See pg. 1, paragraph [0009]).

7. In regards to claims 8, 15, and 17, Parsons discloses a communication system, wherein said policy engine stores a plurality of unique identifiers for identifying specific aspects of said user's identity that are related to said user's context and selecting a preferred event handling feature based on said aspects to create personalized features (See pg. 4, paragraph [0037]).

Allowable Subject Matter

8. Claims 3, 5-7, 10, 12-14, 16, and 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments filed 09/27/2007 have been fully considered but they are not persuasive.

10. Applicants argue that a person of ordinary skill in the art would not consider Parsons et al's presence server 202 to disclose the claimed "policy engine for receiving and relating at least one pertinent evidential indicator of an incoming event from a caller to said user's current context and in response selecting a preferred event handling feature."

11. In response to Applicants' argument that a person of ordinary skill in the art would not consider Parsons et al's presence server 202 to disclose the claimed "policy engine for receiving and relating at least one pertinent evidential indicator of an incoming event from a caller to said user's current context and in response selecting a preferred event handling feature", Examiner respectfully disagrees. For example, "an incoming event from a caller", may simply be the call placed by the caller to the called party [user]. Therefore, once the caller places the call ("incoming event") to the called party the presence server 202 determines the location of the called party, and based on the determination, the call ("incoming event") is handled appropriately (a preferred event handling feature is selected) (See pg. 3-4, paragraph [0036]; pg. 4, paragraph [0037]; pg. 4, paragraph [0038]; and pg. 4, paragraph [0040]).

Conclusion

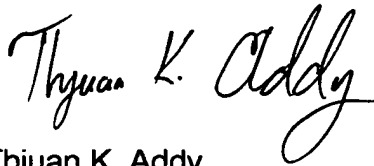
12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thjuan K. Addy
Patent Examiner
AU 2614